

FEDERAL UNIVERSITY OF ENVIRONMENTAL TECHNOLOGY SAAKPENWA,
OGONI (ESTABLISHMENT BILL, 2020)
ARRANGEMENT OF CLAUSES

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FEDERAL UNIVERSITY OF ENVIRONMENTAL TECHNOLOGY,
SAAKPENWA, OGONI

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FIRST SCHEDULE

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A BILL

FOR

AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF THE FEDERAL UNIVERSITY OF ENVIRONMENTAL TECHNOLOGY, SAAKPENWA OGONI; AND FOR OTHER MATTERS CONNECTED THEREWITH

Sponsored by Senator Mpigi Barinada

[] Commencement

ENACTED by the National Assembly of the Federal Republic of Nigeria as follows-

1 PART I - ESTABLISHMENT, CONSTITUTION AND FUNCTIONS OF THE
2 FEDERAL UNIVERSITY OF ENVIRONMENTAL TECHNOLOGY,
3 SAAKPENWA, OGONI

4 1.-(1)There is hereby Federal University of Environmental
5 Technology, Saakpenwa, Ogoni.

6 (2)The University shall be a body corporate with perpetual
7 succession and a common seal and may sue or be sued in its corporate name.

8 (3)The University shall be a training institution for the
9 development of Environmental Scientists and Technologists in the country.

10 (4) The University shall be supervised by the Federal Ministry of
11 Education through the National Universities Commission (NUC) who shall
12 be responsible for approving and regulating all academic programmes run in
13 the University, to ensure quality compliance and provide funds for academic
14 and research programmes, infrastructures and remunerations of employees.

15 (5)The objects of the University shall be-

16 (a) to encourage the advancement of learning in environment
17 technology, environmental chemistry and of all related disciplines as
18 ecology, hy hydrochemistry, waste water treatment, atmospheric chemistry
19 and environmental microbiology., and to hold out to all persons without
20 discrimination on race, creed, sex or political conviction;

Establishment and Objectives of the Federal University of Environmental Technology, Saakpenwa, Ogoni

1 (b) to develop and offer academic and professional programmes
2 leading to the award of certificates, first degrees, post-graduate research,
3 diploma and higher degrees with emphasis on planning, developmental and
4 adaptive skills in environmental technology, applied sciences on climate
5 change and allied environmental and ecological related professional
6 disciplines;

7 (c) to produce environmentally and ecologically mature technologists
8 with capabilities not to only understand the environmental and ecology needs
9 of Nigeria as a nation, but to also exploit existing technological infrastructure
10 and improve on it to develop new ones to provide required solutions;

11 (d) to act as agents and catalysts for effective environmental and
12 ecological technology system, through post graduate training, research and
13 innovation, for effective economic utilization and for conservation of its
14 immediate environment and the country's entire natural And human resources;

15 (e) to bring quality transformation in Environmental Science and
16 Technology Education by focusing on practical teaching, research and learning
17 innovations that add value;

18 (f) to collaborate with other national and international institutions
19 involved in training, research and development of ecological and
20 environmental technology solutions, with a view to promoting quality good
21 governance, leadership and management skills among Environmental
22 Scientists and Technologists;

23 (g) to identify and promote the principles of sustainable development
24 to represents an important part of the study curriculum with a special emphasis
25 on its biological, chemical and technological aspectsof environmental and
26 ecological needs of the society, with a view to finding solutions to them within
27 the context of overall national development needs;

28 (h) to provide and promote sound basic environmental and ecological
29 technology training as a foundation for the development for development of
30 Nigeria, taking into account indigenous environmental challenges, culture and

- 1 the needs to enhance national response to ecological disasters;
- 2 (i) to provide higher Education and foster a systematic
3 advancement of knowledge that is oriented towards industrial toxicology,
4 ecotoxicology, environmental analysis, decontamination technologies and
5 assessment of environmental impacts;
- 6 (j) to provide for instructions in such branches of Environmental
7 Technology Education as it may deem necessary to provide for research, and
8 for the dissemination of environmental knowledge as it may determine;
- 9 (k) to prepare global experts that have excellent theoretical
10 knowledge, practical skills and experience in basic natural scientific
11 disciplines and related field of engineering with operational competence
12 and knowledge in environmental protection, managing ecological and
13 climate change problems;
- 14 (l) to undertake any other activities that is appropriate for a
15 University of Environmental Technology of the highest standard.
- 16 2.-(1)The University shall consist of-
- 17 (a) a Chancellor;
- 18 (b) a Pro-Chancellor and a Council;
- 19 (c) a Vice-Chancellor and a Senate;
- 20 (d) a body to be called Congregation;
- 21 (e) a body to be called Convocation;
- 22 (f) the campuses and colleges of the University;
- 23 (g) the colleges, institutes and other teaching and research units of
24 the University;
- 25 (h) the persons holding the offices constituted by the First Schedule
26 to this Bill other than those mentioned in paragraphs (a) to (c) of this
27 subsection;
- 28 (i) all graduates and undergraduates of the University; and
29 (j) all other persons who are members of the University in
30 accordance with provisions made by statute in that behalf.

1 (2) The First Schedule to this Bill shall have effect with respect to the
2 principal officers of the University.

3 (3) Subject to section 5 of this Bill provision shall be made by statute
4 with respect to the constitution of the Council, the Senate, Congregation and
5 Convocation.

Powers of Federal
University of
Environmental
Technology,
Saakpenwa, Ogoni,
and its exercise

6 **3.**-(1) For the carrying out of its objects as specified in section 1 of this
7 Bill, Federal; University of Environmental Technology, Saakpenwa, Ogoni
8 shall have power:

9 (a) to offer courses of instruction, training and research in
10 Environmental Technology and allied areas for the production of quality and
11 skilled technologists required at lower, middle and higher levels of manpower
12 in Nigeria in particular and the world at large;

13 (b) to establish such colleges, campuses, institutes, schools,
14 departments and other teaching and research units within the University as may
15 from time to time be deemed necessary or desirable subject to the approval of
16 National Universities Commission;

17 (c) to institute professorships, readerships or associate
18 professorships, lectureships, and other posts and offices and to make
19 appointments thereto;

20 (d) to institute and award fellowships, scholarships, exhibitions,
21 bursaries, medals, prizes and other titles, distinctions, awards and forms of
22 assistance;

23 (e) to provide for the discipline and welfare of members of the
24 University;

25 (f) to hold examinations and grant degrees, diplomas, certificates and
26 other distinctions to persons who have pursued a course of study approved by
27 the University and have satisfied such other requirements as the University
28 may lay down;

29 (g) to grant honorary degrees, fellowships or academic titles;

30 (h) to demand and receive from any student or any other person

1 attending the University for the purposes of instruction, such fees as the
2 University may from time to time determine subject to the overall directives
3 of the Minister;

4 (i) subject to section 20 of this Bill, to acquire, hold, grant, charge
5 or otherwise deal with or dispose of movable and immovable property
6 wherever it is situate;

7 (j) to accept gifts, legacies and donations, but without obligation to
8 accept the same for a particular purpose unless it approves the terms and
9 conditions attached thereto;

10 (k) to enter into contracts, establish trusts, act as trustee, solely or
11 jointly with any other person, and employ and act through agents;

12 (l) to erect, provide, equip and maintain libraries, laboratories,
13 workshops, lecture halls, halls of residence, refectories, sports grounds,
14 playing fields and other buildings or things necessary, suitable or convenient
15 for any of the objects of the University;

16 (m) to hold public lectures and to undertake printing, publishing
17 and book selling;

18 (n) subject to any limitations or conditions imposed by statute, to
19 invest any moneys appertaining to the University by way of endowment it,
20 not being immediately required for current expenditure in any investments
21 or securities or in the purchase or improvement of land, with power from
22 time to time, to vary any such investments to deposit any moneys for the
23 time being not invested with any bank on deposit or current account;

24 (o) to borrow, whether on interest or not and if need be upon the
25 security of any or all of the property, movable or immovable, of the
26 University, such moneys as the Council may from time to time in its
27 discretion find it necessary or expedient to borrow of to guarantee any loan,
28 advances or credit facilities;

29 (p) to make gifts for any charitable purpose;

30 (q) to do anything which it is authorized or required by this Bill or

1 by statute to do; and

2 (r) to do all such acts or things, whether or not incidental to the
3 foregoing powers, as may advance the objects of the University.

4 (2) Subject to the provisions of this Bill and of the statutes and without
5 prejudice to section 7(2) of this Bill, the powers conferred on the University by
6 subsection (1) of this section shall be exercisable on behalf of the University by
7 the Council or by the Senate or in many other manner which may be authorized
8 by the statute.

9 (3) The power of the University to establish further campuses and
10 colleges within the University shall be exercisable by statute and not
11 otherwise.

Functions of
the Chancellor
and Pro-Chancellor

12 **4.**-(1)The Chancellor shall, in relation to the University, take
13 precedence before all other members of the University, and when he is present,
14 shall preside at all meetings of Convocation held for conferring degrees.

15 (2)The Pro-Chancellor shall, in relation to the University, take
16 precedence before all other members of the University, except the Chancellor
17 and except the Vice-Chancellor when acting as chairman of Congregation or
18 Convocation and the Pro-Chancellor shall, when he is present, be the chairman
19 at all meetings of the Council.

Composition,
Tenure and Powers
of the Council
of the University

20 **5.**-(1)The Council of the University shall consist of-

21 (a) the Pro-Chancellor who shall be appointed by the President on the
22 recommendation of the Honourable Minister of Education;

23 (b) the Vice-Chancellor;

24 (c) the Deputy Vice-Chancellor(s);

25 (d) one person from the Ministry responsible for Education;

26 (e) four persons representing a variety of interests and broadly
27 representative of the whole Federation to be appointed from:

28 (i) the Teacher's Registration Council;

29 (ii) Tertiary Education Trust Fund; and

30 (iii) two other persons, one of whom shall be a representative of the

- 1 University host community;
- 2 (f) four persons appointed by the Senate from among its members;
- 3 (g) two persons appointed by Congregation from among its
4 members;
- 5 (h) one person appointed by Convocation from among its
6 members.
- 7 (i) two persons representing the community appointed by the
8 President.
- 9 (2) Persons to be appointed to the Council shall be of proven
10 integrity, knowledgeable and familiar with the affairs and tradition of the
11 University.
- 12 (3) The Council so constituted shall have a tenure of four years
13 from the date of its inauguration provided that where a Council is found to be
14 incompetent and corrupt, it shall be dissolved by the Visitor and a new
15 Council shall be immediately constituted for the effective functioning of the
16 University.
- 17 (4) The powers of the Council shall be exercised, as in this Bill and
18 to that extent establishment circulars that are inconsistent with this Bill shall
19 not apply to the University.
- 20 (5) The Council shall be free in the discharge of its functions and
21 exercise of its responsibilities for the good management, growth and
22 development of the University.
- 23 (6) The Council in the discharge of its functions shall ensure that
24 disbursement of funds of the University complies with the approved
25 budgetary ratio for-
- 26 (a) personnel cost;
- 27 (b) overhead cost;
- 28 (c) research and development;
- 29 (d) library developments; and
- 30 (e) the balance in expenditure between academic vis-à-vis non-

Functions of the
Council and its
Finance and
General Purpose
Committee

1 academic activities.

2 **6.**-(1) Subject to the provisions of this Bill relating to the Visitor, the
3 Council shall be the governing body of the University and shall be charged with
4 the general control and superintendence of the policy, finances and property of
5 the University.

6 (2) There shall be a committee of the Council, to be known as the
7 Finance, and General Purposes Committee, which shall, subject to the
8 directions of the Council, exercise control over the property and expenditure of
9 the University and perform such other functions of the Council as the Council
10 may from time to time delegate to it.

11 (3) Provision shall be made by statute with respect to the constitution
12 of the Finance and General Purposes Committee.

13 (4) The Council shall ensure that proper accounts of the University
14 are kept and that the accounts of the University are audited annually by an
15 independent firm of auditors approved by the Council and that an annual report
16 is published by the University together with certified copies of the said
17 accounts as audited.

18 (5) Subject to this Bill and the statutes, the Council and the Finance
19 and General Purposes Committee may each make rules for the purpose of
20 exercising any of their respective functions or of regulating their own
21 procedure.

22 (6) Rules made under sub-section (5) of this section by the Finance
23 and General Purposes Committee shall not come into force unless approved by
24 the Council; and in so far and to the extent that any rules so made by that
25 Committee conflict with any direction given by the Council, whether before or
26 after the coming into force of the rules in question, the directions of the Council
27 shall prevail.

28 (7) There shall be paid to the members respectively of the Council, the
29 Finance and General Purposes Committee and of any other committee set up
30 by the Council, allowances in respect of travelling and other reasonable

1 expenses, at such rates as may from time to time be fixed by the Minister.

2 (8) The Council shall meet as and when necessary for the
3 performance of its functions under this Bill and shall meet at least three
4 times in every year.

5 (9) If requested in writing by any five members of the Council, the
6 chairman shall within 28 days after the receipt of such request call a meeting
7 of the Council.

8 (10) Any request made under sub-section (9) of this section shall
9 specify the business to be considered at the meeting and no business not so
10 specified shall be transacted at that meeting.

11 7.-(1) Subject to section 6 of this Bill and subsections (3) and (4) of
12 this section and the provisions of this Bill relating to the Visitor, it shall be
13 the general function of the Senate to organize and control the teaching by the
14 University, the admission of student where no other enactment provides to
15 the contrary and the discipline of students; and to promote research at the
16 University.

Functions of the
Senate of the
University

17 (2) Without prejudice to the generality of subsection (1) of this
18 section and subject as therein mentioned, it shall in particular be the function
19 of the Senate to make provision for:

20 (a) the establishment, organization and control of campuses,
21 colleges, schools, institutes and other teaching and research units of the
22 University and the allocation of responsibility for different branches of
23 learning;

24 (b) the organization and control of courses of study at the
25 University and of the examinations held in conjunction with those courses,
26 including the appointment of examiners, both internal and external;

27 (c) the award of degrees, and such other qualifications as may be
28 prescribed in connection with examinations held as aforesaid;

29 (d) the making of recommendations to the Council with respect to
30 the award to any person of an honorary fellowship or honorary degree or the

1 title of professor emeritus;

2 (e) the establishment, organization and control of halls of residence
3 and similar institutions at the University;

4 (f) the supervision of the welfare of students at the University and the
5 regulation of their conduct;

6 (g) the granting of fellowships, scholarships, prizes and similar
7 awards in so far as the awards are within the control of the University; and

8 (h) determining what descriptions of dress shall be academic dress for
9 the purposes of the University, and regulating the use of academic dress.

10 (3) The Senate shall not establish any new campus, college, school,
11 department, institute or other teaching and research units of the University, or
12 any hall of residence or similar institution at the University without the
13 approval of the Council.

14 (4) Subject to this Bill and the statutes, the Senate may make
15 regulations for the purpose of exercising any function conferred on it either by
16 the foregoing provisions of this section or otherwise or for the purpose of
17 making provision for any matter for which provision by regulations is
18 authorized or required by this Bill or by statute.

19 (5) Regulations shall provide that at least one of the persons appointed
20 as the examiners at each final or professional examination held in conjunction
21 with any course of study at the University is not a teacher at the University but
22 is a teacher of the branch of learning to which the course relates at some other
23 University of high repute or a person engaged in practicing the profession in a
24 reputable organization or institution.

25 (6) Subject to right of appeal to the Council from a decision of the
26 Senate under this sub-section, the Senate may deprive any person of any
27 degree, diploma or other award of the University which has been conferred
28 upon him if after due enquiry he is found to have been guilty of dishonourable
29 or scandalous conduct in gaining admission into the University or obtaining
30 that award.

1 **8.**-(1) The Vice-Chancellor shall, in relation to the University, take Functions of the
2 precedence before all other members of the University except the Vice Chancellor
3 Chancellor and subject to section 4 of this Bill except the Pro-Chancellor
4 and any other person for the time being acting as Chairman of the Council.

5 (2) Subject to sections 6, 7 and 14 of this Bill, the Vice-Chancellor shall have
6 the general function, in addition to any other functions conferred on him by
7 this Bill or otherwise of directing the activities of the University and shall be
8 the Chief Executive and Accounting Officer of the University and ex-officio
9 Chairman of the Senate.

10 (3) The Vice Chancellor shall be the Chairman of the University
11 Tenders' Board, which is saddled with the responsibility of approving the
12 conduct of public procurement of goods, works and services within the
13 approved threshold from time to time.

14 (4) It shall be the responsibility of the Vice Chancellor to establish
15 and appoint members of the Tenders' Board in line with the extant Public
16 Procurement Rules and Regulations.

17 PART II - GENERAL FUND, TRANSFER OF PROPERTY, ETC, TO THE
18 UNIVERSITY AND CONDITION OF SERVICE OF EMPLOYEES

19 **9.**-(1) There shall be a general fund of the University which shall General fund
20 consist of the following: of the University

21 (a) grants-in-aid;

22 (b) fees;

23 (c) income derived from investments;

24 (d) gifts, legacies, endowments and donations not accepted for a
25 particular purpose;

26 (e) income derived from the exercise of any functions conferred or
27 imposed on the University by this Bill;

28 (f) any other amounts, charges or dues recoverable by the
29 University;

30 (g) revenue, from time to time, accruing to the University by way

1 of subvention;
2 (h) interests on investments;
3 (i) donations and legacies accruing to the University from any source
4 for the general or special purposes of the University; and
5 (j) Regular TETFUND interventions;
6 (2) The general fund shall be applied for the purposes of the
7 University.

Transfer of
Property

8 **10.**-(1) All property held by or on behalf of the Provisional Council of
9 the University shall, by virtue of this sub-section and without further
10 assurance, vest in the University and be held by it for the purpose of the
11 University.

12 (2) The provisions of the Second Schedule to this Bill shall have effect
13 with respect to, and to matters arising from, the transfer of property by this
14 section and with respect to the other matters mentioned in that Schedule.

15 PART III - STATUTES OF THE UNIVERSITY

Power of the
University to
make Statutes

16 **11.**-(1) Subject to this Bill, the University may make statutes for any
17 of the following purposes, that is to say:

18 (a) Making provision with respect to the composition and constitution
19 of any authority of the University;

20 (b) Specifying and regulating the powers and duties of any authority
21 of the University, and regulating any other matter connected with the
22 University or any of its authorities;

23 (c) Regulating the admission of students (where no other enactment
24 provides to the contrary), and their discipline and welfare;

25 (d) Determining whether any particular matter is to be treated as an
26 academic or non-academic matter for the purposes of this Bill and of any
27 statute, regulation or other instrument made thereunder; or

28 (e) Making provision for any other matter for which provision by
29 statute is authorized or required by this Bill.

30 (2) Subject to section 25(6) of this Bill, the Interpretation Act shall

1 apply in relation to any statute made under this section as it applies to a
2 subsidiary instrument within the meaning of section 28(1) of that Act.

3 (3) The statute contained in the Third Schedule to this Bill shall be Third Schedule
4 deemed to have come into force on the commencement of this Bill and shall
5 be deemed to have been made under this section by the University.

6 (4) The power to make statutes conferred by this section shall not
7 be prejudiced or limited in any way by reason of the inclusion or omission of
8 any matter in or from the statute contained in the Third Schedule to this Bill
9 or any subsequent statute.

10 **12.**-(1) The power of the University to make statutes shall be Mode of
exercising power
to make statutes
11 exercised in accordance with the provisions of this section and not
12 otherwise.

13 (2) A proposed statute shall not become law unless it has been
14 approved:

15 (a) at a meeting of the Senate, by the votes of not less than two
16 thirds of the members present and voting; and

17 (b) at a meeting of the Council, by the votes of not less than two
18 thirds of the members present and voting.

19 (3) A proposed statute may originate either in the Senate or in the
20 Council, and may be approved as required by subsection (2) of this section
21 by either one of those bodies or the other.

22 (4) A statute which:

23 (a) makes provision for or alters the composition or constitution of
24 the Council, the Senate or any other authority of the University; or

25 (b) provides for the establishment of a new campus or college or for
26 the amendment or revocation of any statute.

27 (5) For the purpose of section 2(2) of the Interpretation Act, a
28 statute shall be treated as being made on the date on which it is duly
29 approved by the Council after having been duly approved by the Senate, or
30 on the date on which it is duly approved by the Senate after having been duly

1 approved by the Council, as the case may be or, in the case of a statute falling
2 within subsection (4) of this section, on the date on which it is approved by the
3 President.

4 (6) In the event of any doubt or dispute arising at any time:

5 (a) as to the meaning of any provision of a statute; or

6 (b) as to whether any matter is for the purposes of this Bill an
7 academic or non-academic matter as they relate to such doubt or dispute, the
8 matter may be referred to the Visitor, who shall take such advice and make such
9 decision thereon as he shall think fit.

10 (7) The decision of the Visitor on any matter referred to him under
11 sub-section (6) of this section shall be binding upon the authorities, staff and
12 students of the University and where any question as to the meaning of any
13 provision of a statute has been decided by the Visitor under that sub-section, no
14 question as to the meaning of that provision shall be entertained by any court of
15 law in Nigeria.

16 (8) Nothing in sub-section (7) of this section shall affect any power of
17 a court of competent jurisdiction to determine whether any provision of a
18 statute is wholly or partly void as being ultra vires or as being inconsistent with
19 the Constitution of the Federal Republic of Nigeria, 1999.

Proof of Statute

20 **13.** A statute may be proved in any court by the production of a copy
21 thereof bearing or having affixed to it a certificate purporting to be signed by
22 the Vice-Chancellor or the Secretary to the Council to the effect that the copy is
23 a true copy of a statute of the University.

24 PART IV - SUPERVISION AND DISCIPLINE

The Visitor

25 **14.**-(1) The President shall be the Visitor of the University.

26 (2) The Visitor shall cause a visitation to the University when
27 necessary, at least every five years, or direct that such a visitation be conducted
28 by such person or persons as the Visitor may deem fit and in respect of any of
29 the affairs of the University.

30 (3) It shall be the duty of the bodies and persons comprising the

1 University to make available to the Visitor and to any other person
2 conducting a visitation in pursuance of this section, such facilities and
3 assistance as he or they may reasonably require for the purposes of a
4 visitation.

5 (4) The Visitor shall make the report of such visitations and white
6 paper thereon available to the Council which shall implement same.

7 **15.**-(1) If it appears to the Council that a member of the Council
8 (other than the Pro-Chancellor or the Vice-Chancellor) should be removed
9 from office on the ground of misconduct or inability to perform the
10 functions of his office or employment, the Council shall make a
11 recommendation to that effect through the Minister to the President, and the
12 President, after making such enquiries (if any) as he may consider
13 appropriate approves the recommendation, he may direct the removal of the
14 person in question from office.

Removal of
certain Members
of Council

15 (2) It shall be the duty of the Minister to use his best endeavours to
16 cause a copy of the instrument embodying a direction under subsection (1)
17 of this section to be served as soon as reasonably practicable on the person to
18 whom it relates.

19 **16.**-(1) If it appears to the Council that there are reasons for
20 believing that any person employed as a member of the academic,
21 administrative or professional staff of the University, other than the Vice-
22 Chancellor, should be removed from his office or employment on the
23 ground of misconduct or of professional inability to perform the functions of
24 his office or employment, the Council shall:

Removal and
discipline of
academic,
administrative
and professional
staff

25 (a) give notice of those reasons to the person in question;

26 (b) afford him an opportunity of making representations in person
27 on the matter by the Council; and

28 (c) for the person in question to be afforded an opportunity of
29 appearing before and being heard by the investigating committee with
30 respect to the matter, and if the Council, after considering the report of the

1 investigating committee, is satisfied that the person in question should be
2 removed as aforesaid, the Council may so remove him by an instrument in
3 writing signed on the directions of the Council.

4 (2) The Vice-Chancellor may, in a case of misconduct by a member of
5 the staff which in the opinion of the Vice-Chancellor is prejudicial to the
6 interest of the University, suspend such member and any such suspension shall
7 forthwith be reported to the Council.

8 (3) For good cause, any member of the staff may be suspended from
9 his duties or his appointment may be terminated by the Council; and for the
10 purposes of this subsection "good cause" means:

11 (a) conviction for any offence which the Council considers to be such
12 as to render the person concerned unfit for the discharge of the functions of his
13 office;

14 (b) any physical or mental incapacity which the Council, after
15 obtaining medical advice, considers to be such as to render the person
16 concerned unfit to continue to hold his office;

17 (c) conduct of a scandalous or other disgraceful nature which the
18 Council considers to be such as to render the person concerned unfit to continue
19 to hold his office;

20 (d) conduct which the Council considers to be such as to constitute
21 failure or inability of the person concerned to discharge the functions of his
22 office or to comply with the terms and conditions of his service; or

23 (e) conduct which the Council considers to be generally of such
24 nature as to render the continued appointment or service of the person
25 concerned prejudicial or detrimental to the interest of the University.

26 (4) Any person suspended pursuant to subsection (2) or (3) of this
27 section shall be on half pay and the Council shall before the expiration of a
28 period of three months after the date of such suspension consider the case
29 against that person and come to a decision as:

30 (a) whether to continue such person's suspension and if so on what

1 terms (including the proportion of his emoluments to be paid to him);

2 (b) whether to reinstate such person, in which case the Council
3 shall restore his full emoluments to him with effect from the date of
4 suspension;

5 (c) whether to terminate the appointment of the person concerned,
6 in which case such a person shall not be entitled to the proportion of his
7 emoluments withheld during the period of suspension; or

8 (d) whether to take such lesser disciplinary action against such
9 person (including the restoration of such proportion of his emoluments that
10 might have been withheld) as the Council may determine.

11 (5) In any case where the Council, pursuant to this section, decides
12 to continue a person's suspension or decides to take further disciplinary
13 action against a person, the Council shall before the expiration of a period of
14 three months from such decision come to a final determination in respect of
15 the case concerning any such person.

16 (6) It shall be the duty of the person by whom an instrument of
17 removal is signed in pursuance of subsection (1) of this section to use his
18 best endeavours to cause a copy of the instrument to be served as soon as
19 reasonably practicable on the person to whom it relates.

20 (7) Nothing in the foregoing provisions of this section shall:

21 (a) apply to any directive given by the Visitor in consequence of
22 any visitation; or

23 (b) prevent the Council from making regulations for the discipline
24 of other categories of workers of the University as may be prescribed.

25 **17.-(1)** If, on the recommendation of the Senate, it appears to the
26 Vice-Chancellor that a person appointed as an examiner for any
27 examination of the University ought to be removed from his office or
28 appointment, then, except in such cases as may be prescribed by the Vice-
29 Chancellor may, after affording the examiner an opportunity of making
30 representations in person on the matter to the Vice-Chancellor, remove the

Removal of
examiners

1 examiner from the appointment by an instrument in writing signed by the Vice-
2 Chancellor.

3 (2) Subject to the provisions of regulations made in pursuance of
4 section 7(5) of this Bill, the Vice-Chancellor may, on the recommendation of
5 the Senate, appoint an appropriate person as examiner in the place of the
6 examiner removed in pursuance of subsection (1) of this section.

7 (3) It shall be the duty of the Vice-Chancellor on signing an
8 instrument of removal pursuance to this section, to use his best endeavours to
9 cause a copy of the instrument to be served as soon as reasonably practicable on
10 the person to whom it is related.

Participation
and Discipline
of Students

11 **18.**-(1) The Students shall be:

12 (a) represented in the University's Students Welfare Board and other
13 committees that deal with the affairs of students;

14 (b) Participate in various aspects of curriculum development;

15 (c) Participate in the process of assessing academic staff in respect of
16 teaching; and

17 (d) Be encouraged to be more self-assured as part of the national
18 development process.

19 (2) Subject to the provisions of this section, where it appears to the
20 Vice-Chancellor that any student of the University has been guilty of
21 misconduct, the Vice-Chancellor may, without prejudice to any other
22 disciplinary powers conferred on him by statute or regulations, direct:

23 (a) that the student shall not, during such period as may be specified in
24 the directions, participate in such activities of the University, or make use of
25 such facilities of the University, as may be so specified;

26 (b) that the activities of the student shall, during such period as may be
27 specified in the direction, be restricted in such manner as may be so specified;

28 (c) that the student be rusticated for such period as may be specified in
29 the direction; or

30 (d) that the student be expelled from the University.

1 (3) Where a direction is given under subsection (1)(c) or (d) of this
2 section in respect of any student, that student may, within the prescribed
3 period and in the prescribed manner, appeal to the Council; and where such
4 an appeal is brought, the Council shall, after causing such inquiry to be made
5 in the matter as the Council considers just either confirm or set aside the
6 direction or modify it in such manner as the Council thinks fit.

7 (4) The fact that an appeal from a direction is brought in pursuance
8 to subsection (2) of this section shall not affect the operation of the direction
9 while the appeal is pending:

10 (a) The Vice-Chancellor may delegate his powers under this
11 section to a disciplinary board consisting of such members of the University
12 as he may nominate;

13 (b) Nothing in this section shall be construed as preventing the
14 restriction or termination of students' activities at the University otherwise
15 than on the ground of misconduct;

16 (c) A direction under subsection (2)(a) of this section may be
17 combined with a direction under subsection (2)(b) of this section.

18 PART V - MISCELLANEOUS AND GENERAL

19 19.-(1) No person shall be required to satisfy requirements as to
20 any of the following matters, that is to say, race (including ethnic grouping),
21 sex, account of race, place of birth or of family origin, or religious or
22 political persuasion, as a condition of becoming or continuing to be a student
23 at the University, the holder of any degree of the University or of any
24 appointment or employment at the University, or a member of anybody
25 established by virtue of this Bill; and no person shall be subject to any
26 disadvantage or accorded any advantage relation to the University, by
27 reference to any of those matters.

Exclusion of
discrimination
on account of
race, religion, etc.

28 (2) Nothing in subsection (1) of this section shall be construed as
29 preventing the University from imposing any disability or restriction on any
30 of the persons mentioned in that subsection where such person wilfully

1 refuses or fails on grounds of religious belief to undertake any duty generally
2 and uniformly imposed on all such person or any group of them which duty,
3 having regard to its nature and the special circumstances pertaining thereto, is
4 in the opinion of the University reasonably justifiable in the national interest.

Restriction on
disposal of land
by University

5 **20.** Without prejudice to the provisions of the Land Use Act, the
6 University shall not dispose of or charge any land or an interest in any land
7 (including any land transferred to the University by this Bill) except with the
8 prior written consent, either general or special, of the Governor:
9 Provided that such consent shall not be required in the case of any lease or
10 tenancy at a rack-rent for a term not exceeding 21 years or any lease or tenancy
11 to a member of the University for residential purpose.

Quorum and
procedure of
bodies established
by this Bill

12 **21.** Except as may be otherwise provided by statute or by regulations,
13 the quorum and procedure of any body of persons established by this Bill shall
14 be as determined by that body.

Appointment
of committee, etc.

15 **22.**-(1) Anybody of persons established by this Bill shall, without
16 prejudice to the generality of the powers of that body, have power to appoint
17 committees, which need not consist exclusively of members of that body, and
18 to authorize a committee established by it:

19 (a) to exercise, on its behalf, such of its functions as it may determine;

20 (b) to co-opt members, and

21 (2) Any two or more such bodies may arrange for the holding of joint
22 meetings of those bodies, or for the appointment of committees consisting of
23 members of those bodies, for the purpose of considering any matter within the
24 competence of those bodies or any of them, and either of dealing with it or of
25 reporting on it to those bodies or any of them.

26 (3) Except as may be otherwise provided by statute or by regulations,
27 the quorum and procedure of a committee established or meeting held in
28 pursuance of this section, shall be such as may be determined by the body or
29 bodies which have decided to establish the committee or hold the meeting.

30 (4) Nothing in the provisions of subsection (1), (2) and (3) of this

1 section shall be construed as:

2 (a) enabling the statutes to be made otherwise than in accordance
3 with section 1 of this Bill; or

4 (b) enabling the Senate to empower any other body to make
5 regulations of the award degrees or other qualifications.

6 (5) The Pro-Chancellor and the Vice-Chancellor shall be members
7 of every committee of which the members are wholly or partly appointed by
8 the Council (other than a committee appointed to inquire into the conduct of
9 the officer in question); and the Vice-Chancellor shall be a member of every
10 committee of which the members are wholly or partly appointed by the
11 Senate.

12 **23.**-(1) Notwithstanding anything to the contrary in the Pension
13 Act, the compulsory retiring age of the following categories of staff shall be
14 as follows:

Retiring age of
academic staff

15 (a) Academic staff of the University in the non-Professorial cadre
16 shall be 65 years;

17 (b) Academic staff of the University in the Professorial Cadre shall
18 be 70 years;

19 (c) Non-academic staff of the University shall be 65 years.

20 (2) A law or rule requiring a person to retire from the public service
21 after serving for 35 years shall not apply to an academic staff of the
22 University.

23 **24.** An academic staff of the University who retires as a Professor
24 in the University shall be entitled to pension at a rate equivalent to his annual
25 salary provided that the Professor has served continuously in the University
26 up to the retirement age.

Special Provision
relating to Pension
of Professors

27 **25.**-(1) The seal of the University shall be such as may be
28 determined by the Council and approved by the Chancellor, and the affixing
29 of the seal shall be authenticated by any member of the Council and by the

Miscellaneous
Administrative
Provisions

1 Vice-Chancellor, Secretary to the Council or any other person authorized by
2 statute.

3 (2) Any document purporting to be a document executed under the
4 seal of the University shall be received in evidence and shall, unless the
5 contrary is proved, be presumed to be so executed.

6 (3) Any contract or instrument which if made or executed by a person
7 not being a body corporate would not be required to be under seal, may be made
8 or executed on behalf of the University by any person generally or specially
9 authorized to do so by the Council.

10 (4) The validity of any proceedings of anybody established in
11 pursuance of this Bill shall not be affected by any vacancy in the membership
12 of the body, or by any defect in the appointment of a member of the body or by
13 reason that any person not entitled to do so took part in the preceding.

14 (5) Any member of any such body who has a personal interest in any
15 matter proposed to be considered by that body shall forthwith disclose his
16 interest to the body and shall vote on any question relating to that matter.

17 (6) Nothing in section 12 of the Interpretation Act (which provides for
18 the application in relation to subordinate legislation of certain incidental
19 provisions) shall apply to statutes or regulations made in pursuance to this Bill.

20 (7) The power conferred by this Bill on anybody to make statutes or
21 regulations shall include power to revoke or vary any statute (including the
22 statute contained in the Third Schedule of this Bill) or any regulation by a
23 subsequent statute or as the case may be, by a subsequent regulation and
24 statutes and regulations may make different provisions in relation to different
25 circumstances.

26 (8) No stamp or other duty shall be payable in respect of any transfer
27 of property to the University by virtue of section 8 or section 18 of this Bill or
28 the Second Schedule to this Bill.

29 (9) Any notice or other instrument authorized to be served by virtue of
30 this Bill may, without prejudice to any other mode of service, be served by post.

1 **26.**-(1) Pre-Action Notice:

Restriction of
suits and execution

2 (a) No legal proceeding shall be instituted and/or commenced
3 against the University or any of its agents in the course of their official duties
4 unless a 3 months' Pre-Action Notice of such intention is served on the
5 University by an aggrieved party;

6 (b) The Notice shall state the reason and the cause of action
7 intended to be taken against the University, the particulars of the claim, the
8 name and place of abode of the intending plaintiff and the relief which he
9 claims.

10 (b) For the avoidance of doubt, it is hereby declared that no suit
11 shall be commenced against an officer or servant of the University, in any
12 case where the University is vicariously liable for any alleged act, neglect or
13 default of the officer or servant in the performance or intended performances
14 of his duties, unless three months at least has elapsed after written notice of
15 intention to commence the same shall have been served on the University by
16 the intending plaintiff or his agent;

17 (c) In any suit against this University, no execution or attachment
18 or process in the nature thereof shall be issued against the University, but any
19 sums of money which may be judgment of the court be awarded against the
20 University shall, subject to any direction given by the court where notice of
21 appeal has been given by the University in respect of the said judgment, be
22 paid by the University from its general fund.

23 (2) Service of Notices:

24 Service upon the University of any notice, order or other document may be
25 effected by delivering the same or by sending it by registered post addressed
26 to the Registrar and Secretary of the Council.

27 **27.**-(1) In this Bill, unless the context otherwise requires-

Interpretation

28 "Campus" means any campus which may be established by the University;

29 "College" means the College established pursuant to section 2 (1) (b) of this

30 Bill for the University;

1 "Council" means the Governing Council of the University established by
2 section 5 of this Bill;

3 "Functions" includes powers and duties;

4 "Graduate" means a person on whom a degree, other than an honorary degree,
5 has been conferred by the University and any other person as may be
6 designated as a graduate by the Council, acting in accordance with the
7 recommendation of the Senate;

8 "Minister" means the Hon. Minister of Education;

9 "Notice" means notice in writing;

10 "Officer" does not include the Visitor;

11 "Prescribed" means prescribed by statute or regulations;

12 "Professor" means a person designated as a Professor of the University in
13 accordance with provisions made in that behalf by statute or by regulations;

14 "Property" includes rights, liabilities and obligations;

15 "Provisional Council" means the provisional council appointed for the
16 University.

17 "Regulations" means regulations made by the Senate or the Council;

18 "Senate" means the Senate of the University established pursuant to section
19 2(1)(e) of this Bill;

20 "School" means a unit of closely related academic programmes;

21 "Statute" means a statute made by each University under section 10 of this Bill
22 and in accordance with the provisions of section 11 of this Bill, and

23 "the statutes" means all such statutes as are in force from time to time;

24 "Teacher" means a person holding a full-time appointment as a member of the
25 teaching or research staff of the University;

26 "Undergraduate" means a person registered as a student undergoing a course of
27 study for a first degree of the University or such other course in the University
28 as may be approved by the Senate as qualifying a student undergoing it for the
29 status of an under-graduate;

30 "University" means Federal University of Environmental Technology,

1 Saakpenwa, Ogoni, established and incorporated by section I of this Bill.

2 (2) It is hereby declared that where in any provision of this Bill it is
3 laid down that the proposals are to be submitted or a recommendation is to
4 be made by one authority or another through one or more intermediate
5 authorities, it shall be the duty of every such intermediate authority to
6 forward any proposals of that or recommendations received by it in
7 pursuance of that provision to the appropriate authority; but any such
8 intermediate authority may, if it thinks fit, forward therewith its own
9 comments thereon.

10 **28.** This Bill may be cited as the Federal University of Short title
11 Environmental Technology, Saakpenwa, Ogoni, Bill, 2020.

12 SCHEDULES

13 FIRST SCHEDULE

14 [*Section 2(2)*]

15 PRINCIPAL OFFICERS OF THE UNIVERSITY

16 *The Chancellor*

17 1. The Chancellor shall be appointed by and hold office at the
18 pleasure of the President.

19 *The Pro-Chancellor*

20 2.-(1) The Pro-Chancellor who shall be the Chairman of Council
21 shall be appointed or removed from office by Mr President upon
22 recommendation by the Minister of Education.

23 (2) Subject to the provisions of this Bill, the Pro-Chancellor shall
24 hold office for a period of four years beginning with the date of his
25 appointment.

26 *The Vice-Chancellor*

27 3.-(1) There shall be a Vice-Chancellor of the University who shall
28 be appointed by the Council in accordance with the provisions of this
29 paragraph.

30 (2) Where a vacancy occurs in the post of a Vice-Chancellor, the

1 Council shall:

2 (a) advertise the vacancy in a reputable journal or a widely read
3 newspaper in Nigeria, specifying-

4 (i) the qualities of the persons who may apply for the post; and

5 (ii) the terms of conditions of service applicable to the post, and
6 thereafter draw up a short list of suitable candidates for the post for
7 consideration:

8 (b) constitute a Search Team consisting of-

9 (i) a member of the Council, who is not a member of the Senate, as
10 chairman;

11 (ii) two members of the Senate who are not members of the Council,
12 one of whom shall be a Professor;

13 (iii) two members of Congregation who are not members of the
14 Council, one of whom shall be a Professor, to identify and nominate for
15 consideration, suitable persons who are not likely to apply for the post on their
16 own volition because they felt that it is not proper to do so.

17 (3) A Joint Council and Senate Selection Board consisting of-

18 (a) the Pro-Chancellor, as chairman:

19 (b) two members of the Council, not being members of the Senate;

20 (c) two members of the Senate who are Professors, but who were not
21 members of the Search Team, shall consider the candidates and persons in the
22 shortlist drawn up under subsection (2) of this paragraph through an
23 examination of their curriculum vitae and interaction with them, and
24 recommend to the Council three candidates for further consideration.

25 (4) The Council shall select and appoint as the Vice-Chancellor one
26 candidate from among the three candidates recommended to it under
27 subsection (3) of this section and thereafter inform the Visitor.

28 (5) The Vice-Chancellor shall hold office for a single term of five
29 years only on such terms and conditions as may be specified in his letter of
30 appointment.

1 (6) The Vice Chancellor may be removed from office by the
2 Council on grounds of gross misconduct or inability to discharge the
3 functions of his office as a result of infirmity of the body or mind, at the
4 initiative of the Council, Senate or the Congregation after due process.

5 (7) When the proposal for the removal of the Vice-Chancellor is
6 made, the Council shall constitute a Joint Committee of Council and Senate
7 consisting of:

8 (i) three members of the Council, one of whom shall be the
9 Chairman of the committee; and

10 (ii) two members of the Senate,

11 Provided that where the ground for removal is infirmity of the body or mind,
12 the Council shall seek appropriate medical opinion.

13 (8) The committee shall conduct investigation into the allegations
14 made against the Vice-Chancellor and shall report its findings to the
15 Council.

16 (9) The Council may where the allegations are proved remove the
17 Vice-Chancellor or apply any other disciplinary action it may deem fit and
18 notify the Visitor accordingly provided that a Vice-Chancellor who is
19 removed shall have right of appeal to the Visitor.

20 (10) There shall be no sole administrator in the University.

21 (11) In any case of a vacancy in the office of the Vice-Chancellor,
22 the Council shall appoint an acting Vice-Chancellor on recommendation of
23 the Senate.

24 (12) An acting Vice Chancellor in all circumstances shall not be in
25 office for more than 6 months.

26 *Deputy Vice-Chancellor*

27 4.-(1) There shall be for the University such number of Deputy
28 Vice-Chancellors as Council may from time to time deem necessary for the
29 proper administration of the University.

30 (2) Where a vacancy occurs in the post of Deputy Vice-Chancellor,

1 the Vice-Chancellor shall forward to the Senate a list of two candidates for each
2 post of Deputy Vice-Chancellor that is vacant.

3 (3) The Senate shall select for each vacant post one candidate from
4 each list forwarded to it under subsection (2) of this paragraph and forward his
5 name to the Council for confirmation.

6 (4) A Deputy Vice-Chancellor shall:

7 (a) assist the Vice-Chancellor in the performance of his functions;

8 (b) act in the place of the Vice-Chancellor when the post of the Vice-
9 Chancellor is vacant or if the Vice-Chancellor is, for any reason, absent or
10 unable to perform his functions as Vice-Chancellor; and

11 (c) perform such other functions as the Vice-Chancellor or the
12 Council may, from time to time, assign to him.

13 (5) A Deputy Vice-Chancellor:

14 (a) shall hold office for a period of two years beginning from the
15 effective date of his appointment and on such terms and conditions as may be
16 specified in his letter of appointment; and

17 (b) may be reappointed for one further period of two years and no
18 more.

19 (c) may be removed from office for good cause by the Council acting
20 on the recommendations of the Vice-Chancellor and Senate.

21 (d) "Good cause" for the purpose of this section means gross
22 misconduct or inability to discharge the functions of his office arising from
23 infirmity of the body or mind.

24 *Office of the Registrar*

25 5.-(1) There shall be for the University, a Registrar, who shall be the
26 chief administrative officer of the University and shall be responsible to the
27 Vice-Chancellor for the day-to-day administrative work of the University
28 except as regards matters for which the Bursar is responsible in accordance
29 with paragraph 6(2) of this Schedule.

30 (2) The person holding the office of the Registrar shall by virtue of

1 that office be Secretary to the Council, the Senate, Congregation and
2 Convocation.

3 *Other Principal Officers of the University*

4 6.-(1) There shall be for the University the following principal
5 officers, in addition to the Registrar, that is:

6 (a) the Bursar; and

7 (b) the University Librarian,

8 who shall be appointed by the Council on the recommendation of the
9 Selection Board constituted under paragraph 7 of this Schedule.

10 (2) The Bursar shall be the Chief Financial Officer of the
11 University and be responsible to the Vice-Chancellor for the day-to-day
12 administration and control of the financial affairs of the University.

13 (3) The University Librarian shall be responsible to the Vice-
14 Chancellor for the administration of the University Library and the co-
15 ordination of the library services in the University and its campuses,
16 colleges, schools, departments, institutes and other teaching or research
17 units.

18 (4) Any question as to the scope of the responsibilities of the
19 aforesaid officers shall be determined by the Vice-Chancellor

20 *Selection Board for other Principal Officers*

21 7.-(1) There shall be, for the University, a Selection Board for the
22 appointment of principal officers, other than the Vice-Chancellor or Deputy
23 Vice-Chancellor, which shall consist of-

24 (a) the Pro-Chancellor, as chairman;

25 (b) the Vice-Chancellor;

26 (c) four members of the Council not being members of the Senate;

27 and

28 (d) two members of the Senate.

29 (2) The functions, procedure and other matters relating to the
30 Selection Board constituted under subsection (1) of this paragraph shall be

1 as the Council may, from time to time, determine.

2 (3) The Registrar, Bursar and Librarian shall hold office for a single
3 term of five years only beginning from the effective date of their appointments
4 and on such terms and conditions as may be specified in their letters of
5 appointment.

6 (4) Notwithstanding subsection (3) of this section, the Council may,
7 upon satisfactory performance, extend the tenure of the Registrar, Bursar or
8 Librarian for a further period of one year only and thereafter such principal
9 officer shall relinquish his post and be assigned to other duties in the
10 University.

11 *Resignation and Re-appointment*

12 8.-(1) Any officer mentioned in the foregoing provisions of this
13 Schedule may resign his office:

14 (a) in the case of the Chancellor or Pro-Chancellor, by notice to the
15 Visitor;

16 (b) in any other case, by notice to the Council and the Council shall, in
17 the case of the Vice-Chancellor, immediately notify the Visitor.

18 (2) Without prejudice to paragraph 4 of this Schedule, a person who
19 has ceased to hold an office so mentioned otherwise than by removal for
20 misconduct shall be eligible for re-appointment to that office.

21 **SECOND SCHEDULE**

22 **TRANSITIONAL PROVISIONS AS TO PROPERTY, FUNCTIONS, ETC.**

23 *Transfer of Property to University*

24 1. Without prejudice to the generality of section 9 (1) of this Bill:

25 (a) the reference in that subsection to property held by the Provisional
26 Council shall include a reference to the right to receive and give a good
27 discharge for any grants or contributions which may have been voted or
28 promised to the Provisional Council;

29 (b) all debts and liabilities of the Provisional Council outstanding
30 shall become debts or liabilities of the University.

1 2.-(1) All agreements, contracts, deeds and other instruments to
2 which the Provisional Council was a party shall, so far as possible and
3 subject to any necessary modifications, have effect as if the University had
4 been a party thereto in place of the Provisional Council.

5 (2) Documents not falling within subsection (1) of this paragraph,
6 including enactment which refer, whether specially or generally, to the
7 Provisional Council, shall be construed in accordance with that sub-section
8 so far as applicable.

9 (3) Any legal proceedings or application to any authority pending
10 by or against the Provisional Council may be continued by or against the
11 University.

12 *Registration of transfers*

13 3.-(1) If the law in force at the place where any property transferred
14 by this Bill is situate provides for the registration of transfers of property of
15 the kind in question (whether by reference to an instrument of transfer or
16 otherwise), the law shall, so far as it provides for alterations of a register (but
17 not for avoidance of transfers, the payment of fees or any other matter)
18 apply, with necessary modifications, to the property aforesaid.

19 (2) It shall be the duty of the body to which any property is
20 transferred by this Bill to furnish the necessary particulars of the transfer to
21 the proper officer of the registration authority, and of that officer to register
22 the transfer accordingly.

23 *Transfer of Functions, etc.*

24 4.-(1) The first meeting of the Council shall be convened by the
25 Pro-Chancellor on such date and in such manner as he may determine.

26 (2) The persons who were members of the Provisional Council
27 shall be deemed to constitute the Council until the date when the Council as
28 set up under the Third Schedule to this Bill shall have been duly constituted.

29 (3) The first meeting of the Senate as constituted by this Bill shall
30 be convened by the Vice-Chancellor on such date and in such manner as he

1 may determine.

2 (4) The persons who were members of the Academic Board
3 immediately before the coming into force of this Bill shall be deemed to
4 constitute the Senate of the University until the date when the Senate as set up
5 under the Third Schedule to this Bill shall have been duly constituted.

6 (5) Subject to any regulations which may be made by the Senate after
7 the date on which this Bill is made, the schools, school boards and students of
8 the University immediately before the coming into force of this Bill shall on
9 that day become schools, school boards and students of the University as
10 constituted by this Bill.

11 (6) Persons who were Deans of schools and Heads of Academic
12 Departments shall continue to be Deans or HODs of the corresponding
13 School/Department, until new appointments are made in pursuance of the
14 statutes.

15 (7) Any person who was a member of the staff of the University as
16 established or was otherwise employed by the Provisional Council shall
17 become the holder of an appointment at the University with the status,
18 designation and functions which correspond as nearly as may be to those which
19 appertained to him as member of that staff or as such an employee.

20 THIRD SCHEDULE

21 *[Section 9 (3)]*

22 FEDERAL UNIVERSITY OF ENVIRONMENTAL TECHNOLOGY,

23 SAAKPENWA, Ogoni

24 STATUTE NO. 1

25 ARRANGEMENT OF ARTICLES

26

27 ARTICLES

28 1. The Council.

29 2. The Finance and General Purposes Committee

30 3. The Senate

- 1 4. The Congregation
- 2 5. Convocation
- 3 6. Division of Colleges
- 4 7. College/School Boards
- 5 8. Dean of the College
- 6 9. Selection of certain Principal Officers
- 7 10. Creation of academic posts
- 8 11. Appointment of academic staff
- 9 12. Appointment of administrative and professional staff
- 10 13. Interpretation.
- 11 14. Short Title

The Council

13 1.-(1) The composition of the Council shall be as provided in
14 section 5 of this Bill.

15 (2) Any member of the Council holding office otherwise than in
16 pursuance of section 5 (a), (b), (c), or (d) of this Bill may, by notice to the
17 Council, resign his office.

18 (3) A member of the Council holding office otherwise than in
19 pursuance of section 5 (a), (b), (c), or (d) of this Bill shall, unless he
20 previously vacates it, vacate that office on the expiration of the period of
21 four years beginning with effect from 1 August in the year which he was
22 appointed.

23 (4) Where a member of the Council holding office otherwise than
24 in pursuance of section 5 (a), (b), (g), or (h) of this Bill vacates office before
25 the expiration of the period aforesaid, the body or person by whom he was
26 appointed may appoint a successor to hold office for the residue of the term
27 of his predecessor.

28 (5) A person ceasing to hold office as a member of the Council
29 otherwise than by removal for misconduct shall be eligible for re-
30 appointment for only one further period of four years.

1 (6) The quorum of the Council shall be five, at least one of whom shall
2 be a member appointed pursuant to section 5 (d) or (e) of this Bill.

3 (7) If the Pro-Chancellor is not present at a meeting of the Council,
4 such other member of the Council present at the meeting as the Council may
5 appoint as respects that meeting shall be the chairman at that meeting, and
6 subject to section 4 of this Bill and the foregoing provisions of this paragraph,
7 the Council may regulate its own procedure.

8 (8) Where the Council desires to obtain advice with respect to any
9 particular matter may co-opt not more than two persons for that purpose, and
10 the persons co-opted may take part in the deliberations of the Council at any
11 meeting but shall not be entitled to vote.

12 *The Finance and General Purposes Committee*

13 2. -(1) The Finance and General Purposes Committee of the Council
14 shall consist of-

15 (a) the Pro-Chancellor, who shall be the chairman of the Committee at
16 any meeting at which he is present;

17 (b) the Vice-Chancellor and Deputy Vice-Chancellors;

18 (c) six other members of the Council appointed by the Council, two of
19 whom shall be selected from among the four members of the Council
20 appointed by the Senate and one member appointed to the Council by
21 Congregation;

22 (d) the Permanent Secretary of the Federal Ministry of Education, or
23 in his absence, such member of his Ministry as he may designate to represent
24 him; and

25 (e) the Executive Secretary of the Petroleum Technology
26 Development Fund, or in his absence, such member of the Fund as he may
27 designate to represent him.

28 (2) The quorum of the Committee shall be five.

29 (3) Subject to any directions given by the Council, the Committee
30 may regulate its own procedure.

1 *Annual budget and estimates, etc.*

2 (4) (i) The estimates of income and expenditure for a financial year
3 shall be presented by the Vice-Chancellor to the Council and may be
4 approved by the Council before the beginning of that financial year:

5 Provided that the Vice-Chancellor may during any financial year
6 present and the Council may approve supplementary estimates of income or
7 expenditure.

8 (ii) The annual and supplementary estimates shall be prepared in
9 such form and shall contain such information as the Council may direct.

10 *Gifts, donations, etc.*

11 (5) (i) The Council may on behalf of the University accept by way
12 of grants, gift, testamentary disposition or otherwise, property and money in
13 aid of the finances of the University on such conditions as it may approve;

14 (ii) Registers shall be kept of all donations to the University
15 including the names of donors and any special conditions under which any
16 donation may have been given:

17 Provided that the University shall not be obliged to accept a
18 donation for a particular purpose unless it approves of the terms and
19 conditions attaching to such donation.

20 (iii) All property, money or funds donated for any specific purposes
21 shall be applied and administered in accordance with the purposes for which
22 they are donated and shall be accounted for separately.

23 *Payment into bank:*

24 (6) All sums of money received on account of the University shall
25 be paid into such bank as may be approved by the Council for the credit of
26 the University's general, current or deposit account:

27 Provided that the Council may invest, as it deems fit, any money
28 not required for immediate use other than donations of money referred to in
29 subsection (1) of this section.

1 *Audit*

2 3.-(1) The Council shall cause the accounts of the University to be
3 audited by auditors appointed by the Council as soon as may be after the end of
4 each financial year or for any such other period as the Council may require.

5 (2) The appointment and other matters relative to the auditors, their
6 continuance in office and their functions, as the case may be, shall, subject to
7 the provisions of this section, be prescribed by statute.

8 *The Senate*

9 4.-(1)The Senate shall consist of:

10 (i) the Vice-Chancellor

11 (ii) Deputy Vice-Chancellors;

12 (iii) the Deans of respective Colleges;

13 (iv) the Professors in the University;

14 (v) Heads of Academic Departments and Units;

15 (vi) the University Librarian;

16 (vii) One elected representative of each College;

17 (viii) Two members of Academic Staff elected by the Congregation;

18 (ix) One elected representative of each department;

19 (x) Two members representing a variety of interests of the
20 professional bodies outside the University appointed by the Senate on the
21 recommendation of the Vice-Chancellor;

22 (xi) Registrar - Secretary.

23 (2)The procedure for election of members of Senate to the Council
24 shall be prescribed by Regulations.

25 (3) The Vice-Chancellor shall be the chairman at all meetings of the
26 Senate when he is present, and in his absence any of the Deputy Vice-
27 Chancellors present at the meeting as the Senate may appoint for that meeting
28 shall be the chairman at the meeting.

29 (4) The quorum of the Senate shall be one quarter or the nearest whole
30 number less than one quarter; and subject to paragraph (3) of this Article, the

1 Senate may regulate its own procedure.

2 (5) An elected member may, by notice to the Senate, resign his
3 office.

4 (6) Subject to paragraph (8) of this article, there shall be elections
5 for the selection of elected members which shall be held in the prescribed
6 manner on such day in the month of May or June in each year as the Vice-
7 Chancellor may from time to time determine.

8 (7) An elected member shall hold office for the period of two years
9 beginning with 1 August in the year of his election, and may be a candidate at
10 any election held in pursuance to paragraph (6) of this article in the year in
11 which his period of office expires, so however that no person shall be such a
12 candidate if at the end of his current period of office he will have held office
13 as an elected member for a continuous period of six years or would have so
14 held office if he had not resigned it.

15 (8) No election shall be held in pursuance of this article in any year
16 if the number specified in the certificate given in pursuance to paragraph
17 (11) of this article does not exceed by more than one the figure which is
18 thrice the number of those elected members holding office on the date of the
19 certificate who do not vacate office during that year in pursuance of
20 paragraph (7) of this article.

21 (9) For the avoidance of doubt it is hereby declared that no person
22 shall be precluded from continuing in or taking office as an elected member
23 by reason only of reduction in the after 30 April in any year in which he is to
24 continue in or take office as all elected member.

25 (10) If so requested in writing by any fifteen members of the
26 Senate, the Vice-Chancellor or in his absence any of the Deputy Vice-
27 Chancellor duly appointed by him, shall convene a meeting of the Senate to
28 be held not later than the tenth day following that on which the request was
29 received.

30 (11) In this article "total of non-elected members" means as respect

1 any year, such number as may be certified by the Vice-chancellor on 30 April of
2 that year to be the number of persons holding office as members of the Senate
3 on that day otherwise than as elected members.

4 *Congregation*

5 5.-(1) Congregation shall consist of:

6 (i) Vice-Chancellor;

7 (ii) the Deputy Vice-Chancellors;

8 (iii) the full-time members of the academic staff;

9 (iv) The Registrar;

10 (v) The Librarian;

11 (vi) Every member of the administrative staff who holds a degree,
12 other than honorary degree, of any University recognized for the purposes of
13 this statute by the Vice-Chancellor.

14 (2) Subject to section 4 of this Bill, the Vice-Chancellor shall be the
15 chairman at all meetings of Congregation when he is present; and in his
16 absence any of the Deputy Vice Chancellors present at the meeting as
17 Congregation may appoint for that meeting, shall be the chairman at the
18 meeting.

19 (3) The quorum of Congregation shall be one third or the whole
20 number nearest to one third of the total number of members of Congregation of
21 fifty, whichever is less.

22 (4) A certificate signed by the Vice-Chancellor specifying:

23 (a) the total number of members of Congregation for the purpose of
24 any particular meeting or meetings of Congregation; or

25 (b) the names of the persons who are members of Congregation
26 during a particular period, shall be conclusive evidence of that number or, as
27 the case may be, of the names of those persons.

28 (5) The procedure for election of members of Congregation to the
29 Council and the Senate shall be prescribed by Regulations.

30 (6) Subject to the foregoing provisions of this article, Congregation

1 may regulate its own procedure.

2 (7) Congregation shall be entitled to express by resolutions or
3 otherwise its opinion on all matters affecting the interest and welfare of the
4 University and shall have such other functions, in addition to the function of
5 electing a member of the Council, as may be provided by statute or
6 regulations.

7 *Convocation*

8 6.-(1) Convocation shall consist of-

9 (i) the officers of the University mentioned in the First Schedule to
10 this Bill;

11 (ii) All teachers within the meaning of this Bill;

12 (iii) All other persons whose names are registered in accordance
13 with paragraph (2) of this article.

14 (2) A person shall be entitled to have his name registered as a
15 member of convocation if-

16 (a) he is either a graduate of a University or a person satisfying such
17 requirements as may be prescribed for the purposes of this paragraph; and

18 (b) he applies for the registration of his name in the prescribed
19 manner and pay the prescribed fees.

20 (3) Regulations shall provide for the establishment and
21 maintenance of a register for the purpose of this paragraph and subject to
22 paragraph (4) of this article may provide for the payment, from time to time,
23 of further fees by persons whose names are on the register and for the
24 removal from the register of the name of any person who fails to pay those
25 fees.

26 (4) The person responsible for maintaining the register shall,
27 without the payment of any fees, ensure that the names of all persons who
28 are for the time being members of the Convocation by virtue of paragraph
29 (1)(a) or (b) of this article are entered and retained on the register.

30 (5) A person who reasonably claims that he is entitled to have his

1 name on the register shall be entitled on demand to inspect the register or a copy
2 of the register at the principal times of the University at all reasonable times.

3 (6) The register shall, unless the contrary is proved, be sufficient
4 evidence that any person named therein is not, a member of Convocation; but
5 for the purpose of ascertaining whether a particular person was such a member
6 on a particular date, any entries in and deletions from the register made on or
7 after that date shall be disregarded.

8 (7) The quorum of Convocation shall be fifty or one third or the whole
9 number nearest to one third or the whole number of members of Convocation
10 whichever is less.

11 (8) Subject to section 4 of the Act, the Chancellor shall be chairman at
12 all meetings of Convocation when he is present, and in his absence the Vice-
13 chancellor shall be the chairman at the meeting.

14 (9) Convocation shall have such functions, in addition to the function
15 of appointing a member of the Council, as may be provided by statute or
16 regulations.

17 *Division of Colleges*

18 7. Each College shall be divided into such number of branches as
19 may be prescribed.

20 *College Boards*

21 8.-(1) There shall be established in respect of each College, a Board of
22 Studies which, subject to the provisions of this Statute, and subject to the
23 directions of the Vice-Chancellor, shall:

24 (a) Regulate the teaching and study of, and the conduct of
25 examinations connected with, the subjects assigned to the college;

26 (b) Deal with any other matter assigned to it by statute or by the Vice-
27 Chancellor or by the Senate; and

28 (c) Advise the Vice-Chancellor or the Senate on any matter referred to
29 it by the Vice-Chancellor or the Senate.

30 (2) Each College Board of Studies shall consist of-

- 1 (a) the Vice-Chancellor:
2 (b) the Dean;
3 (c) the persons severally in charge of the branches of the school;
4 (d) the College Examination Officer;
5 (e) such of the teachers assigned to the college and having the
6 prescribed qualifications as the Board may determine; and
7 (f) such persons, whether or not members of the University, as the
8 Board may determine with the general or special approval of the Senate.

9 (3) The quorum of the Board shall be eight members or one quarter,
10 whichever is greater, of the members for the time being of the board; and
11 subject to the provisions of this statute and to any provision made by
12 regulations in that behalf, the Board may regulate its own procedure.

13 *Deans of the Colleges*

14 9.-(1) The Board of each College shall, at a meeting in the last term
15 of any academic year which the term of office of the Dean expires, nominate
16 one of its members, being one of the Professors assigned to that teaching
17 unit, for appointment by the Senate as Dean of the College.

18 (2) The person appointed under paragraph 1 of this Article shall act
19 as Dean of the College and chairman of all meetings of the College Board
20 when he is present and shall be a member of all committees and other boards
21 appointed by the College.

22 (3) The Dean shall hold office for two years and shall be eligible for
23 re-appointment one further period of two years. Thereafter he shall not be
24 eligible for re-appointment until two years have elapsed.

25 (4) The Dean of a College shall exercise general superintendence
26 over the academic and administrative affairs of the College.

27 (5) It shall be the function of the Dean to present to Convocation for
28 the conferment of degrees to persons who have qualified for the degrees of
29 the University at examination held in the branches of learning for which
30 responsibility is allocated to that College.

1 (6) There shall be a committee to be known as the Committee of
2 Deans consisting of all the Deans of the several Colleges and that Committee
3 shall advise the Vice-Chancellor on all academic matters and on particular
4 matters referred to the University by the Senate.

5 (7) The Dean of a College may be removed from office for good cause
6 by the College Board after a vote would have been taken at a meeting of the
7 Board, and in the event of a vacancy occurring following the removal of a
8 Dean, an acting Dean may be appointed by the Vice-Chancellor:

9 Provided that at the next College Board meeting an election shall be
10 held for a new Dean.

11 (8) In this article "good cause" has the same meaning as in section
12 15(3) of the Act.

13 *Departmental Board of Studies*

14 10.-(1) There shall be a Departmental Board of Studies whose
15 membership shall be made of all academic staff of the Department;

16 (2) It shall be headed by a Professor who shall be appointed by the
17 Vice Chancellor and in the absence of a Professor, a senior academic staff shall
18 be appointed in acting capacity;

19 (3) For a Professor the term is for 3 years while 1 year is for acting
20 capacity.

21 (4) The Board shall superintend over all teachings and examinations
22 in the Department;

23 (5) The Board shall handle all disciplinary matters in the Department
24 and make recommendations to the College where necessary;

25 (6) Allocation of courses in the department shall be done by the
26 Departmental Board on recommendation of the Head of Department.

27 *Selection of Directors of Physical Planning and Development, Works and*
28 *Services and Health*

29 11.-(1) When a vacancy occurs in the office of the Directors of
30 Physical Planning and Development, Works and Services and Health, a

1 Selection Board shall be constituted by the Council which shall consist of-
2 (a) the Pro-Chancellor;
3 (b) the Vice-Chancellor;
4 (c) two members appointed by the Council, not being members of
5 the Senate;
6 (d) Two members appointed by the Senate.

7 (2) The Selection Board after making such inquiries as it thinks fit,
8 shall recommend a candidate to the Council for appointment to the vacant
9 office; and after considering the recommendation of the board the Council
10 may make an appointment to that office.

11 *Tenure of Directors*

12 12. A Director shall hold office on such terms and conditions as
13 may be specified in his letter of appointment subject to the extant
14 Regulations.

15 *Creation of Academic Posts*

16 13. Recommendations for the creation of academic posts other
17 than principal officers shall be made by the Senate to the Council through
18 the Finance and General Purposes Committee.

19 *Appointment of Academic Staff*

20 14.-(1) Subject to the Act and statutes, the filling of vacancies in
21 academic posts (including newly created ones) shall be the responsibility of
22 the Council through the Departments and Colleges.

23 (2) For the purpose of filling such vacancies, suitable selection
24 boards to select and make appointments on behalf of the Council shall be set
25 up.

26 (3) For appointment to Professorships, Associate Professorship or
27 Readerships or equivalent posts, a Board of Selection, with power to
28 appoint, shall consist of:

- 29 (a) the Vice-Chancellor - Chairman;
30 (b) Deputy Vice-Chancellor - Member;

- 1 (c) The Dean of the College - Member;
- 2 (d) Head of Department - Member;
- 3 (e) such other person(s), not exceeding two in number, deemed
- 4 capable of helping the Board in assessing both the professional and academic
- 5 suitability of a candidate under consideration, as the Senate may from time to
- 6 time appoint;
- 7 (f) Registrar - Secretary.
- 8 (4) For other academic posts, a Selection Board, with power to
- 9 appoint, shall consist of:
- 10 (a) the Vice-Chancellor or his representative- Chairman;
- 11 (b) The Dean of the College - Member;
- 12 (c) Head of the Department concerned - Member;
- 13 (d) An internal member of Council (not below the Rank of Senior
- 14 Lecturer from the sister college in the Candidate's subject-area) - Member;
- 15 (e) Registrar or his representative - Secretary.
- 16 (5) All appointments to senior library posts shall be made in the same
- 17 way as equivalent appointments in the academic cadre; and for all such posts
- 18 other than that of the Librarian, the Librarian shall be a member of the Selection
- 19 Board.
- 20 (6) Boards of Selection may interview candidates directly or consider
- 21 the reports of specialist interviewing panels and shall in addition, in the case of
- 22 Professorships, Associate Professorship, Readerships or equivalent Posts,
- 23 consider the reports of External Assessors relevant to the area in which the
- 24 appointment is being considered. Quorum shall be three (3) including the
- 25 Chairman.

26 *Appointment of Administrative and Professional Staff*

- 27 15.-(1) The administrative and professional staff of the University
- 28 other than principal officers shall be appointed by the Council or on its behalf
- 29 by the Vice-Chancellor in accordance with delegation of powers made by the
- 30 Council on its behalf.

- 1 (2) A Selection Board, with power to appoint, shall consist of:
2 (i) Vice Chancellor;
3 (ii) Deputy Vice Chancellor;
4 (iii) Registrar;
5 (iv) Bursar;
6 (v) University Librarian;
7 (vi) The Head of Department concerned;
8 (vii) Establishment and Human Resources Officer who shall serve
9 as Secretary. Quorum shall be three (3) including the Chairman.

10 *Interpretation*

11 16. In this Statute, the expression "the Act" means the Federal
12 University of Environmental Technology, Saakpenwa, Ogoni Act and any
13 word or expression defined in the Act has the same meaning in this Statute.

14 *Short Title*

15 17. This Statute may be cited as the Federal University of
16 Environmental Technology, Saakpenwa, Ogoni Statute No. I.

EXPLANATORY MEMORANDUM

This Bill seeks to establish the Federal University of Environmental
Technology, Saakpenwa, Ogoni